

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ADOPTION OF INTERCONNECTION)
AGREEMENT BETWEEN BELL SOUTH)
TELECOMMUNICATIONS, INC.) CASE NO. 2004-00____
AND TIME WARNER TELECOM OF OHIO)
BY US LEC OF TENNESSEE INC.)

NOTICE OF INTENT TO ADOPT INTERCONNECTION AGREEMENT

Pursuant to Section 252(i) of the Telecommunications Act of 1996 (the "Act"), 47 U.S.C. § 252(i), US LEC of Tennessee Inc. ("US LEC"), through its undersigned counsel, hereby files its Notice of Intent to adopt the currently effective interconnection agreement between BellSouth Telecommunications, Inc. ("BellSouth") and Time Warner Telecom of Ohio, LP.

US LEC is a utility within the meaning of KRS 278.010(3)(e) and is a competitive local exchange carrier or CLEC. BellSouth is an incumbent local exchange carrier or ILEC. US LEC represents and warrants that it is an authorized provider of local telecommunications services in the state of Kentucky and that its adoption of the terms covers services in the state of Kentucky only.

The referenced agreement, which is to be adopted in its entirety, is identified by the tracking number 00439-AM on the

Commission's publicly available Internet site for approved agreements. The CLEC party to this unexpired agreement is Time Warner Telecom of Ohio, LP ("TWT"). The ILEC party to this agreement is BellSouth.

Notice of this intent to adopt is being sent to:

Dorothy J. Chambers
General Counsel/Kentucky
BellSouth Telecommunications, Inc.
601 W. Chestnut Street
Room 407
Louisville, KY 40203

US LEC intends to be bound by the terms of the unexpired agreement, anticipating that the terms of the agreement will be reproduced in their entirety, substituting US LEC in the place of TWT in the Agreement. An electronic copy of the referenced agreement is included as Exhibit 1 with the original of this Notice and with the service copy being sent to BellSouth. US LEC will file additional copies of the TWT agreement if required by the Commission.

The agreement to be adopted (including all amendments) may be viewed on the PSC's public Internet site:

<http://162.114.3.165/PSCICA/2000/2000-093/>

The Commission has previously acknowledged the statutory right of carriers to adopt existing interconnection agreements by notice to the Commission. As the adoption arises from a statutory right, such a request may be reviewed expeditiously and promptly granted. For example, on January 16, 2003, AT&T Broadband Phone of Kentucky, LLC submitted to the Commission its notice of intent to adopt the negotiated interconnection agreement between ALLTEL Kentucky, Inc. ("ALLTEL") and AT&T Communications of the South Central States, Inc., and requested expedited review. The Commission docketed the Notice as Case No. 2003-00022 and granted the request on February 7, 2003. Expedited review is appropriate as well for the 252(i) adoption by US LEC.

To the extent the Commission requires an executed adoption letter, US LEC has attached a proposed acknowledgement as Exhibit 2 to this Notice.

Wherefore, US LEC respectfully requests that the Commission
issue an order:

- 1) Acknowledging the adoption by US LEC;
- 2) Approving the request and making the agreement effective
as of the date of the order;
- 3) Requiring BellSouth to file with the Commission a true
and complete copy of the approved agreement; and
- 4) To the extent required, ordering US LEC and BellSouth to
sign and file an adoption agreement as set forth in Exhibit
2.

Respectfully Submitted:

C. Kent Hatfield
Douglas F. Brent
Stoll, Keenon & Park, LLP
2650 AEGON Center
Louisville, KY 40202
502-568-9100

CERTIFICATE OF SERVICE

It is hereby certified that this 8th day of March, 2004 I have served the within Notice of Intent to Adopt Interconnection Agreement on the following by deposit in the U. S. Mail, first class.

Counsel for US LEC of Tennessee Inc.

Dorothy J. Chambers
General Counsel/Kentucky
BellSouth Telecommunications, Inc.
601 W. Chestnut Street
Room 407
Louisville, KY 40203

US LEC Notice of Intent to Adopt
KY PSC Case No. 2004-_____
Exhibit 2
March 8, 2004

**Agreement of adoption of an approved
interconnection agreement pursuant to 47 U.S.C.
252(i) .**

BellSouth Telecommunications, Inc. ("BellSouth") and US LEC of Tennessee Inc. ("US LEC") have executed this agreement regarding the adoption by US LEC of the agreement between BellSouth and Time Warner Telecom of Ohio, LP ("TWT") pursuant to Order of the Public Service Commission. US LEC adopts the terms of the TWT agreement for interconnection with BellSouth (00439-AM) and in applying the terms agrees that US LEC shall be substituted for TWT in the terms wherever appropriate.

Notice to the parties as may be required under the terms shall be provided as follows to:

CLEC Account Team
9th Floor
600 North 19th Street
Birmingham, AL 35203

and

General Attorney - COU
Suite 4300
675 W. Peachtree Street
Atlanta, GA 30375

Interconnection Manager
Regulatory and Industry Affairs
US LEC Corp.
Morrocroft III
6801 Morrison Boulevard
Charlotte, NC 28211

with a copy to:

General Counsel
US LEC Corp.
Morrocroft III
6801 Morrison Boulevard

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Exhibit 2
March 8, 2004

Charlotte, NC 28211

US LEC represents and warrants that it is a certified provider of local telecommunications services in the state of Kentucky and that its adoption of the terms covers services in the state of Kentucky only.

The terms of this agreement shall be in effect until the TWT terms are expired.